

# Naples City Council December 11, 2014 Minutes

The regularly scheduled meeting of the Naples City Council was held December 11, 2014, 7:30 p.m., at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

## *DATE, TIME & PLACE OF MEETING*

Council members attending were Dean Baker, Robert Hall, Gordon Kitchen, Dennis Long, Dan Olsen and Kenneth Reynolds.

## *COUNCIL MEMBERS ATTENDING*

Others attending were Talitah Valdez, Eric Major, Jim Harper, Garrett Caret, Niki Ashby, Lissi Carhuariura, Jordan Revert, Lucas Fryhling, Cy Morton, Seritta Merrell, Lalauni Davis, Michelle Cook, Stacia Dastrup, Madison Hale, Jordan Tabbee, Jordan Cushing, Logan Ewell, Robert Foley, Nikolas Keyes, Faith Voy, G. Case, Connie Patton, Joshua Bake, and Nikki Kay.

## *OTHERS ATTENDING*

At 7:30 p.m. Mayor Dean Baker welcomed everyone and called the meeting to order. Mayor Baker opened the meeting with the pledge of allegiance. Councilman Dan Olsen offered the invocation.

## *OPENING CEREMONY*

Mayor Baker presented the agenda for approval. Dennis Long **moved** to approve the agenda. Robert Hall **seconded** the motion. The motion passed with all in attendance voting aye.

## *AGENDA APPROVED*

Mayor Baker presented the minutes of the November 13, 2014 regular City Council meeting for approval. Dan Olsen **moved** to approve the minutes as presented. Kenneth Reynolds **seconded** the motion. The motion passed with all in attendance voting aye.

## *MINUTES APPROVED*

Councilman Kitchen asked about the income survey for the CDBG grant application. Joshua Bake stated he is waiting for an answer to a couple of questions they sent to UBAG. Mayor Baker suggested Joshua get in touch with AVW&S to see if they would be able to help with the project.

## *FOLLOW UP ITEMS FROM PREVIOUS MEETING*

Joshua Bake also reported the he is working on the Ordinance for the jake brakes and should have that available at the next Council meeting for review.

Connie Patton presented the bills for payment approval. The amount presented to the Council was \$177,565.23 and Connie asked for an additional \$377.25 to avoid late charges on the bank card. Dennis Long **moved** to approve the amount of \$177,942.48. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

#### ***APPROVAL OF THE BILLS***

A business license application was received from **Bardimus Oilfield** located at 1043 E 1500 S. Joshua reported that he and Dale Peterson visited the business and it was in the proper zone. Joshua stated Dale Peterson gave the business owners a couple of recommendations on lighting and different things to improve their business but other than that everything seemed to check out. Dan Olsen **moved** to approve the business license for Bardimus Oilfield. Robert Hall **seconded** the motion. The motion passed with all voting aye.

#### ***BUSINESS LICENSE APPROVALS***

A business license application was received from **Single Shot Trucking** located at 1348 S 1500 E. Joshua reported that Dale Peterson visited the business and said the location would be used mostly as a storage facility for this business. Robert Hall **moved** to approve the business license for Single Shot Trucking. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

Eric Majors with Jones & DeMille Engineering was present at the meeting. Mr. Majors stated they have been working with Craig Blunt and Jim Harper in regards to the soft spots in the road on 2500 South. Mr. Majors said they have a work order to take investigative core samples on 2500 South and they have a company that can get deeper samples using a vac truck. He said the additional work would be for them to do six hours worth of pot holing with a vac truck and to take the deeper core samples. He stated the change order amount would be for an estimated \$2,000. Mr. Majors said the original bid was for \$7,000 which would take everything from start to finish, including having a contractor selected to do the work. Councilman Kitchen asked if the \$2,000 would be the maximum amount. Mr. Majors said that was correct, he

#### ***JONES & DEMILLE ENGINEERING CHANGE ORDER FOR 2500 SOUTH***

said the company charges by the hour but can usually do several pot holes in an hour. Mr. Majors said they will need to bring in fill material for the holes and they will try and minimize the impact. Gordon Kitchen **moved** to approve the change order for up to \$2,000. Dennis Long **seconded** the motion. The motion passed with the following vote:

Gordon Kitchen	Aye
Kenneth Reynolds	Aye
Dennis Long	Aye
Dan Olsen	Aye
Robert Hall	Aye

Jim Harper came before the Council to ask approval to pay Timberline Engineering for review of The Farm Subdivision retention ponds. Jim said before Craig left they wanted to make sure the drainage in the subdivision was up to par. Jim pointed out the second page of the report where it gives their opinion after the calculations. Councilman Kitchen said the detail page talks about phase I and the retention pond is located in the first phase of The Farm 2014 Subdivision and he also wanted to know if the calculations take into account the houses for the other phases. Jim thought it included all of the roads but he didn't really know. Councilman Kitchen said he had some concerns because the report was not very clear on how they came up with their calculations. Councilman Olsen said he would like a report that clearly states what they found and didn't have a problem paying for the work but he wants a report. Councilman Kitchen pointed out the report stated that it should be verified after the pond is built that it will hold the water. Councilman Kitchen said it should be verified before the pond is built that it will adequately hold the water. Councilman Olsen said all of these were concerns that Craig had and that is the reason he went to Timberline. He said this is not a report answering those concerns or stating what they have done. Robert Hall **moved** to hold payment on the invoice and ask Timberline for a more concise report answering the questions. Dennis Long **seconded** the motion. The motion passed with all voting in the affirmative.

***PAYMENT APPROVAL TO  
T I M B E R L I N E  
ENGINEERING FOR THE  
FARM SUBDIVISION***

Jim Harper stated SCI knew of three damaged lights on the highway but they were not aware of the fourth and therefore didn't have enough lights to repair them all. Jim said SCI would like to purchase one of the City's stockpiled lights so they can finish up and close out this project. Jim stated the City has three extra lights. Mayor Baker suggested Jim have

***REQUEST TO SELL  
STREET LIGHT TO SCI***

at least six on hand. Gordon Kitchen **moved** to sell one of the lights to SCI for \$2,245 plus shipping costs and to purchase more for the City. Kenneth Reynolds **seconded** the motion. The motion passed with a roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Jim Harper asked for approval to hire a vacuum truck to clean out the drains in the City. Jim said there are about 156 boxes and they would like to hire someone to clean them in order to cut down on the hours of the sweeper and also to save man hours. Jim said they should be able to get about 100 of the boxes cleaned out before winter and if they were to do it themselves it would take about eight days. He believed they could save almost half by hiring it done. Dennis Long **moved** to accept the \$4,500 request. Robert Hall **seconded** the motion. The motion passed with a roll call vote:

***EXPENDITURE  
APPROVAL TO CLEAN  
OUT DRAINS***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Jim Harper said they reviewed the 1900 South fence project and made contact with the property owners who all seemed happy with it. Jim said there is one panel that is cracked and the contractor was aware of it and has already ordered a replacement. Councilman Long asked if this will help with keeping the water out of the one residence. Jim said the concrete retaining wall should help with that. Robert Hall **moved** to pay the contractor once the cracked panel is fixed. Dan Olsen **seconded** the motion. The motion passed with the following vote:

***REVIEW OF 1900 SOUTH  
FENCE PROJECT***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Nay

Councilman Kitchen wanted to clarify his nay vote and stated

he was not voting against paying the contractor but said he has been against the fence project from the beginning and that is why he voted nay.

Jim Harper said he met with Chief Watkins and after their discussion he would like to request a stop sign at 1820 South 2000 East. Jim said the Chief recommended a sign because of the restricted view caused by the blind hill. Robert Hall **moved** to approve the stop sign at 1820 South 2000 East. Dennis Long **seconded** the motion. The motion passed with all voting aye.

***REQUEST FOR STOP SIGN  
AT 1820 SOUTH 2000 EAST***

Council members were given an invoice from CPR Clausse's Plumbing Repair in the amount of \$592 to run the gas line for the generator at the shop. Dan Olsen **moved** to approve \$592 for the gas line install. Kenneth Reynolds **seconded** the motion. The motion passed with a roll call vote:

***REQUEST APPROVAL TO  
PAY FOR GAS LINE TO  
GENERATOR***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Council members received an invoice from Uintah Engineering for a property survey on 2850 South. Mayor Baker stated this was to set the property corners and to topo the site. Dan Olsen **moved** to approve the \$4,566. Gordon Kitchen **seconded** the motion. The motion passed with the following vote:

***APPROVAL TO PAY FOR  
PROPERTY SURVEY ON  
2850 SOUTH***

Gordon Kitchen	Aye
Kenneth Reynolds	Aye
Dennis Long	Aye
Dan Olsen	Aye
Robert Hall	Aye

Joshua Bake provided a salary study for building officials. Joshua pointed out the top two listings were entities that currently have the positions open. Joshua said the information he obtained doesn't clarify if they are a chief building official. Joshua said you also can't take into account the individuals experience or different responsibilities. Councilman Olsen wanted to know how many years Dale Peterson has worked for the City. Nikki Kay said she was not sure. Councilman Hall wanted the Council to keep in mind that they are not currently paying benefits for the building

***REVIEW SALARY STUDY  
FOR BUILDING OFFICIAL***

official and he didn't know if they should set a range until they decide to make this a full time position. Councilman Kitchen wanted to know why Duchesne or Roosevelt weren't listed on the survey as they were closer in size to Naples. Joshua said he wasn't able to find information on those cities and it might be because they list them under a different title. It was discussed to update the wage level schedule when they review the salary schedule along with the budget. No action was taken on this matter.

A discussion was held about offering employee Christmas bonuses. Councilman Kitchen asked about part time people. Nikki said they only have one. Councilman Kitchen said he thought they should consider offering half of what the full time employees get. Councilman Hall said he would like to recommend they offer a bonus of \$350. Robert Hall **moved** to approve employee bonuses in the amount of \$350 net and to pro rate that amount for Dale Peterson. Dennis Long **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Dan Olsen **moved** to approve the 2015 meeting and holiday schedules as presented. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

Robert Foley came before the Council to discuss the 2013/2014 audit report. Mr. Foley handed out copies of the audit and reviewed his findings for the last fiscal year. After reviewing the figures and findings, Gordon Kitchen **moved** to accept the audit as presented by Mr. Foley. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Mayor Baker gave Council members a handout showing some changes to the Special Service Districts he wanted them to consider. Mayor Baker said with Craig retiring and Joshua Bake coming in as the new Administrator/Planner he thought some change might be good. Councilman Olsen stated he would like to stay where he is because he is the Treasurer of the Animal Control SSD and set up on all the accounts. Councilman Long said it is the same with him on the Impact

***DISCUSSION TO APPROVE  
EMPLOYEE CHRISTMAS  
BONUS***

***APPROVE 2015 MEETING  
SCHEDULE AND  
HOLIDAY SCHEDULE***

***2013/2014 AUDIT REPORT***

***DISCUSSION AND  
APPOINTMENT TO  
SPECIAL SERVICE  
DISTRICT BOARDS***

Mitigation SSD. Councilman Kitchen discussed the changes that have been proposed about combining the Airport Board with the Uintah Transportation SSD but they are reviewing to see if that can legally be done. Mayor Baker said he was just suggesting changes that might work. Councilman Olsen and Councilman Long both said they would prefer to stay where they are. Gordon Kitchen **moved** to continue with the appointment of Dennis Long to the Impact Mitigation SSD and Robert Hall to the Fire Control SSD. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

Dan Olsen **moved** to adopt Resolutions 11-231 and 11-232 appointing members of the Council to the Special Service Districts. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

#### ***RESOLUTIONS FOR SSD APPOINTMENTS***

Joshua Bake reported that in setting up the health trust account that was talked about at a previous meeting, the company sent some questions to be answered that are not addressed by the City's policy. Some of those questions were whether or not to include all retirees, if there would be a minimum eligible contribution amount, if there is a minimum age, and what leave amounts would be eligible to contribute. Mayor Baker thought those who would be eligible for sick leave would be those who would be eligible. Councilman Olsen said it would be anyone who is full time. Council discussed if accrued vacation should be allowed to roll over into this or just be paid out upon retirement. Nikki Kay stated if this would have been available when Craig retired he could have chosen to have his accrued vacation go into this account also and saved paying the taxes on it. Councilman Hall said he didn't see it being a problem if the employee chose to do that. Councilman Kitchen said he thought it would be good for an employee to have that option. Nikki Kay said they don't pay out for any accrued holiday so that shouldn't be an issue. They discussed comp time and Councilman Kitchen thought they should only allow the two. Councilman Long asked Jim Harper how many comp hours the road department was allowed to carry over. Jim thought it was just forty hours. Council members decided to

#### ***DISCUSSION REGARDING H E A L T H   T R U S T ACCOUNT***

only allow accrued vacation to be included along with the sick leave hours. Mayor Baker said anyone who would be eligible would be those who accrue sick leave or vacation. Councilman Kitchen said he thought the policy already spells out who is eligible because it states that an employee with ten or more years of service could convert money to a health savings account. Councilman Hall asked about someone that worked for the City for twenty-five years and then became disabled, they wouldn't get state retirement but with this they should still be eligible because they could call it retirement. Councilman Hall said when you use the word retired, you need to know what it means. Councilman Hall said this policy is vague so that could be good. Nikki asked if they would consider someone who took disability to be eligible for this. Councilman Hall said he would because they have their ten years in. Councilman Olsen said they might want to look at the wording on this. Councilman Kitchen said they might want to define what is meant by termination or retirement. Joshua said he could look at some other policy manuals from other communities to see what they have defined it as and maybe we need a definition section for the policy stating what retirement means. Nikki asked if there was going to be a minimum amount allowed for contribution. Mayor Baker said there is a one time set up amount and felt anyone that meets the eligibility could contribute. Councilman Olsen said it would be a benefit to the City because if it is set up like the School District the City would become the beneficiary. He stated with the School District if the person dies before the trust is empty then it reverts back to the District. Nikki said she asked the trust account company about the beneficiaries and was told that if the person does not have a "qualified" dependent the money goes back into the plan to offset future contributions. Nikki wondered what a qualified dependent is. Mayor Baker said when the form is filled out by the participant they would designate who their beneficiary is. Councilman Olsen said at the School District the District is the beneficiary. Nikki said she would try and find out what a qualified dependent is. Council members discussed if they wanted to make it a requirement that the City be named as the beneficiary of the trusts. Mayor Baker wanted to know what the Council's opinion was on this. Councilman Olsen said he would rather see it be a qualified spouse or children. Mayor Baker said a person could put it into a trust and have a pet or non-profit organization be the beneficiary. Councilman Kitchen said he doesn't see those as a qualified dependent. Nikki Kay asked about the minimum age. Council members recommended that Joshua look into



any federal or state limitations as far as age.

Dennis Long **moved** to go into a closed session to discuss the purchase, exchange, or lease of real property and to come back out. Dan Olsen **seconded** the motion. The motion passed with all voting aye. Dean Baker, Robert Hall, Dan Olsen, Dennis Long, Kenneth Reynolds, Joshua Bake, and Nikki Kay were present in the closed session.

***CLOSED SESSION TO  
DISCUSS THE PURCHASE,  
EXCHANGE OR LEASE OF  
REAL PROPERTY***

Gordon Kitchen **moved** to have the Mayor proceed with and sign the counter offer on the property as discussed. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

***MOTION TO PROCEED***

Mayor Baker said he would like to have a discussion after the first of the year about Planning Commission appointments. It was discussed that Dale Harrison's term would be expiring and they would need to move an alternate up as a full member. Mayor Baker asked Joshua to contact the Planning Commission members to determine who wants to continue serving on that board prior to that discussion and those appointments.

***O T H E R  
MATTERS/FUTURE  
COUNCIL MATTERS***

Kenneth Reynolds **moved** to adjourn the meeting at 9:30 p.m. Dennis Long **seconded** the motion. The meeting was adjourned by all voting in favor of the motion.

***MOTION TO ADJOURN***

APPROVED BY COUNCIL ON THE 8<sup>th</sup> DAY OF JANUARY 2015

BY: \_\_\_\_\_

ATTEST: \_\_\_\_\_